IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

WP(C).No. 6227 of 2004(N)

PETITIONER:

JOMON PAUL, PALLAN HOUSE,
MAROTTICHODU, EDAPPALLY.P.O., COCHIN.

BY ADV. SRI.K.J.MOHAMMED ANZAR
SRI.B.PREMOD

RESPONDENTS:

---

1. COMMISSIONER OF CUSTOMS,
CUSTOMS HOUSE, COCHIN.

2. DEPUTY COMMISSIONER (PREVENTIVE)
CUSTOMS HOUSE, COCHIN.

3. SUPERINTENDENT OF CUSTOMS (DISPOSAL)
CUSTOMS HOUSE, COCHIN.

ADDL. 4. SAJITHA BASHEER, W/O.M.M.ABDUL RASHEED,
AGED 39 YEARS, MANAGING DIRECTOR , KOCHI,
SURRAFACTANTS PRIVATE LTD, PLOT NO.63,
INDUSTRIAL DEVELOPMENT AREA, EDAYAR,
BINANI PURAM, ERNAKULAM.

(ADDL. 4TH RESPONDENT IS IMPLEADED AS PER ORDER DATED 24/3/04 IN I.A. 3390/04.)

BY ADV. SRI.P.PARAMESWARAN NAIR,ASST.SOLICITOR (FOR R1 TO R3)
SRI.M.K.CHANDRA MOHANDAS (FOR R4)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.6227/2004

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P1: COPY OF THE AUCTION NOTICE PUBLISHED BY THE 2ND RESPONDENT DATED 30.1.2004.

EXT. P2: COPY OF THE AUCTION LIST ATTACHED TO THE AUCTION NOTICE.

RESPONDENT'S EXHIBITS:

EXT. R1(A): COPY OF THE AUCTION NOTICE PUBLISHED IN THE MALAYALA MANORAMA DT. 3-2-04.

EXT. R1(B): COPY OF THE AUCTION NOTICE PUBLISHED IN THE HINDU DAILY DT. 3-2-2004.

EXT. R1(C): LIST OF PERSONS PARTICIPATED IN THE AUCTION CONDUCTED ON 5-2-2004.

EXT. R1(D): COPY OF ORDER IN W.A. NO.2567/2002 DT. 16.12.2003 IN IA 2593/03.

/TRUE COPY/

P.A. TO JUDGE

JP

KURIAN JOSEPH, J.

W.P(C) No.6227 of 2004

Dated this the 23rd day of November, 2007

JUDGMENT

Petitioner approached this court with certain grievances regarding the public auction conducted on 5-2-2004 as per Ext.P1. It is seen that this court has vacated the interim order for the reason that the petitioner did not comply with the conditions. What survives is the question whether the auction was conducted in accordance with law. Petitioner may point out his grievances before the first respondent in which case the matter will be duly enquired into by the first respondent with notice to the petitioner and the additional 4th respondent.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

W.P(C).No.6227 of 2004

JUDGMENT

23rd November, 2007